

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

DAVID SMITH,

Defendant.

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8:13CR108

ORDER

This matter is before the court on the oral motion of defendant David Smith (Smith) for an extension of the pretrial motion deadline. The motion was made during the arraignment on the Superseding Indictment on November 25, 2013. The government had no objection to the motion. The oral motion was granted.

IT IS ORDERED:

1. Smith's motion for an extension of time to file pretrial motions is granted. Smith shall have **to on or before January 31, 2014**, in which to file pretrial motions in accordance with the progression order.

2. The ends of justice have been served by granting such motion and outweigh the interests of the public and the defendant in a speedy trial. The additional time arising as a result of the granting of the motion, i.e., **from November 25, 2013, and January 31, 2014**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act for the reason defendant's counsel requires additional time to adequately prepare the case, taking into consideration due diligence of counsel, and the novelty and complexity of this case. The failure to grant additional time might result in a miscarriage of justice. 18 U.S.C. § 3161(h)(7)(A) & (B).

DATED this 25th day of November, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge